IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1127 OF 2006

1.Mr.Deepak Prakash Vede
2.Mr.Ganesh Dhondu Sapkal
3.Mr.Anand Avinash Jadhav ... Applicants.

vs.

The State of Maharashtra. ...Respondent

Mr.Yogesh Pawar, for Applicants.

Ms.M.H.Mhatre, APP for State.

CORAM: V.M.KANADE,J.

DATED: 31st March,, 2006

P.C.:-

1. Heard the learned Counsel appearing for the applicants and A.P.P. for the State. The applicants were arrested in connection with the offence under Section 302, 307, 143, 147, 148, 149, 120B r/w. 34 of I.P.C. The learned Counsel appearing for the applicants submits that all the three applicants have not been identified by any of the witnesses or even by the complainant. The only evidence against them is that one sword was recovered at the instance of applicant no.1. The chargesheet has been filed. The applicants have fixed place of

residence. Since there is no evidence against the present applicants, in my view the applicants are required to be released on bail.

2. The applicants be released on bail in the sum of Rs.5000/- each with one or two sureties in the like amount.

3. The applicants shall not threaten the witnesses. If a complaint is filed against the applicants, liberty is granted to Public Prosecutor to file an application for cancellation of bail.

4. The applicants shall report to Wanawadi Police Station once in a month.

It is made clear that the Trial Court shall not be influenced by the observations made by this Court while disposing of this application and the same shall not be construed to mean as an expression of opinion on merits of the case and shall decide the case on its own merit and in accordance with law.

(V.M.Kanade, J.)